

COMMISSIONERS PROCEEDINGS
JANUARY 10, 2006
CLARK COUNTY, WASHINGTON

The Board convened in the Commissioners' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Commissioners Stuart, Morris, and Boldt, Chair, present.

PLEDGE OF ALLEGIANCE

The Commissioners conducted the Flag Salute.

PUBLIC COMMENT

Speaker #1

Bill Zimmerman, commented on the critical areas ordinance which is currently underway and with AG regulations. Mr. Zimmerman objected to the enormous buffers that are being forced on the AG industry and rural landowners in Clark County by the critical areas ordinance. He said nothing is being expected of those areas in the county where development has already occurred and it's been argued that those exempt areas are pre-existing. He stated that farms, open spaces and planted timber are pre-existing to the regulations. He further explained. Zimmerman said this can only be solved by the inclusion of everyone who has an affect on a habitat. By only addressing rural areas, the regulations would be discriminatory and fruitless. He said if the county is going to impose the buffers on one segment of the county economy, they must impose them across the board to all.

Speaker #2

Peter Revas, Clark County tree farmer, agreed with Mr. Zimmerman's comments. He stated that they have vastly over-regulated, buffers in particular. He said if they make it impossible or discourage people from staying in agriculture, they will get rid of the very things that bring their urban neighbors to them. He said they need to exercise traditional caution; science is going in the direction of moderation and away from the point blank; they need to retain the genius they have of working through things rather than pre-empting certain capabilities they may have if they don't over-regulate.

Boldt referenced the new task force that was created and asked how that was going.

Zimmerman said he felt they had some constructive gains on what they were looking at. The previous week was frustrating for some of the members. He said the idea of only regulating agriculture created conflict within the group because of number of the members understood that they were setting a precedence that if the buffers are imposed only on agriculture, the group would be looking at imposing them across the board; however, they were told that they can only look at AG regulations and that as far as any of the other zoning, other land uses in the county, they were not allowed to make recommendations. He said that was frustrating.

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Stuart said he too wondered how the process was going and asked Peter if he had attended any of the meetings.

Peter said he had attending some of the earlier meetings and stays in contact with Mr. Zimmerman.

Morris commented that the Governor had originally intended to introduce legislation this year that would have made it clear that agriculture is an existing use; however, she backed away from that due to resistance from the environmental groups. She wanted to know if the farm bureau was intending to push legislation of that nature on its own.

Zimmerman said he hadn't heard in regards to that. He said some of what has transpired on the question of AG regulations is the appeals court ruling that stated that resource AG could not be exempt from regulations according to the Growth Management Act.

Morris said she thought it was AG on non-resource lands that couldn't be exempt. She said if you're on resource zoned lands under that decision, you're still exempt from the imposition of those regulations; if you are in an area that's zoned R-20, R-10, R-5—outside of urban growth boundaries—then according to that decision, you are required to comply with the environmental ordinances.

Speaker #3

Margaret Tweet, commented on consent agenda item 3 (Resolution regarding the appointment process for the regional library board and similar bodies). Ms. Tweet stated that she had not received a copy of the document, as requested, and didn't have time to review it. She said that one of the things they had asked for was that annual appointments be made at the same time of year; however, there is nothing within the resolution about the timing for when appointments will be made. Also, they wanted to see that the commissioners who would be dealing with the Library Board Trustees, and who have been elected by the people, be the ones to make the appointments, but there's nothing in the resolution. Tweet said she was glad to see that there would be public notice and public interviews. She said there is nothing in the resolution about the rollover of the Trustees, as well as nothing about the county being represented—having 3 of the 5 Clark County positions. She further explained. That was corrected in an earlier draft; however, it isn't corrected in the latest one. Tweet asked that the board not approve this item today.

Mary Keltz, Board of Commissioners Office, responded that she has researched and followed this issue. She stated that the board did previously address the geographic issue in earlier action by confining two of the positions to residents of the City of Vancouver and three to residents of Clark County, other than the City of Vancouver.

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Morris asked what document that information was contained in.

Keltz said the Prosecuting Attorney's Office drew up the documents for the board and this board acted on in sometime past fall.

Bronson Potter, Prosecuting Attorney's Office, said he recalled that approximately two month's previously he reviewed a draft resolution that addressed the geographic representation of appointments. He suggested checking with Louise to find out exactly when that was adopted.

The board members agreed that they wanted to locate the document.

Keltz said they would retrieve the documents and added that the appointments are made pursuant to the state law, as well as agreements between Clark, Klickitat, and Skamania counties.

Stuart asked if they implemented the language in the MOU between the counties.

Keltz said they did, to specify that the Clark County positions are reserved for residents of unincorporated areas for the most part. She said they must be outside the City of Vancouver.

Potter noted that resolutions would not be codified, but would be part of the commissioners' office records and so if anyone wanted a copy of it, the Clerk of the Board could easily retrieve.

Boldt requested that Ms. Keltz compile the information together and provide it to the board and Mrs. Tweet and then they could revisit the issue in a couple of weeks.

Keltz said she would do that.

CONSENT AGENDA

There being no public comment, **MOVED** by Stuart to approve items 1 through 8, with the exception of item 3 – Resolution regarding the appointment process for the regional library board and similar bodies. Commissioners Boldt, Stuart, and Morris voted aye. Motion carried. (See Tape 251)

COMMISSIONER COMMUNICATIONS

There were no Commissioner communications.

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The Board of Commissioners adjourned and convened as the Board of Health

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

There being no public comment, **MOVED** by Stuart to approve item 1. Board members Boldt, Stuart, and Morris voted aye. Motion carried. (See Tape 251)

BOARD OF HEALTH COMMUNICATIONS

There were no Board of Health communications.

Adjourned

2:00 P.M.

(Commissioner Stuart not present)

PUBLIC HEARING: REFUNDING BONDS

Held a public hearing to consider a Resolution of the Board of Commissioners of Clark County, Washington, relating to contracting indebtedness; providing for the issuance of \$33,625,000* par value of Limited Tax General Obligation Refunding Bonds, 2006, of the County to pay the cost of refunding the callable portions of certain of the County's outstanding limited tax general obligation funds and the administrative costs of such refunding, and to pay the costs of issuance and sale of such bonds; providing for and authorizing the purchase of certain obligations out of the proceeds of the sale of the bonds herein authorized and for the use and application of the money derived from those investments; authorizing the execution of an agreement with J.P. Morgan Trust Company, National Association of Seattle, Washington, as refunding trustee; providing for the call, payment and redemption of the outstanding bonds to be refunded; fixing the date, form, maturities, interest rates, terms and covenants of the bonds; establishing a bond redemption fund; providing for bond insurance; and approving the sale and providing for the delivery of the bonds to Bank of America Securities LLC of Seattle, Washington.

*Exact amount may vary based on current conditions in financial markets.

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John Payne, Deputy Treasurer, presented. Mr. Payne introduced Jane Towery, Bank of America; Faye Brown, Regional Financial Advisors; Mark Greenough, Foster Pepper.

Jane Towery, Managing Director, Bank of America Securities, commented on staff's hard work on this transaction and stated that in early December they decided to move forward on the refunding knowing that there would be a risk element. She said everyone accelerated their efforts on this. In addition, the county's financial advisor did a superb job. Ms. Towery said they have been running numbers for two months and hoping they could reach the 3% net present value savings level and when they sold the bonds today, they actually achieved a 4.05% savings, which is \$1.47 million on a net present value basis. She further explained. She said the county has an excellent bond rating, which was used as a selling tool.

Faye Brown, Regional Financial Advisors, added that Bank of America Securities had a somewhat tight market to do this in and had to work very hard to make this happen.

Mark Greenough, Foster Pepper, Bond Council for the County, explained the documents. He stated that the resolution approves the execution of the bond purchase contract, which is being presented by Bank of America Securities. He said this was purely a refunding transaction and there was no new money involved. He said this also authorizes the purchase of bond insurance, as well as the execution of the refunding trust agreement.

There being no public comment, **MOVED** by Morris to approve Resolution 2006-01-07, Refunding Bonds. Commissioners Boldt and Morris voted aye. Motion carried. (See Tape 251)

2:00 P.M. PUBLIC BID OPENINGS

Present at bid opening: Tina Redline, Board of County Commissioners Office; and Mike Westerman and Allyson Anderson, General Services-Purchasing Department

BID OPENING 2430

Held a public hearing for Bid Opening 2430 – Annual Clark County Elections Mail Service. Mike Westerman, General Services, opened and read bids and stated that it was the Purchasing Department's intention to award Bid 2430 on January 17, 2006, at 10:00 a.m., in the Commissioners' Hearing Room of the Clark County Public Service Center, 6th Floor. (See Tape 252)

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BOARD OF COUNTY COMMISSIONERS

Marc Boldt/s/
Marc Boldt, Chair

Steve Stuart, Commissioner

Betty Sue Morris/s/
Betty Sue Morris, Commissioner

ATTEST:

Rebecca Tilton/s/
Deputy Clerk of the Board

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